

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA  
Reading Division

## Chapter 13

In re:

**Bonnie Lynn MacDonald,**  
Debtor.

# EMERGENCY MOTION TO LIFT THE ONE-YEAR BAR IMPOSED BY ORDER OF DISMISSAL

**COMES NOW** the Debtor, **Bonnie Lynn MacDonald**, and respectfully moves this Honorable Court to **vacate the one-year bar to refiling** imposed by the Order of Dismissal entered on **March 20, 2025**, and as grounds therefore states as follows:

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## I. BACKGROUND

1. The Debtor filed a voluntary Chapter 13 petition on **February 25, 2025**.
2. The case was dismissed on **March 20, 2025**, and the dismissal order imposed a **one-year bar to refiling**, likely pursuant to 11 U.S.C. §§ 109(g) or 362(d)/(c)(4).
3. At the time of the prior case, Debtor was experiencing significant personal and financial hardship and was unable to comply with filing obligations and plan confirmation requirements.

## II. EXTRAORDINARY CIRCUMSTANCES

4. Debtor has experienced a series of life-altering and tragic events, including:
  - o The **death of my son** on or about **November 28<sup>th</sup>, 2007**.

- ○ The **closure of my construction company in 2008**, which had been her main source of income.
- ○ A **serious automobile accident on July 21, 2023**, causing physical injury, resulting in an extended stay in physical rehabilitation and loss of transportation.
- ○ Severe disruption of employment and hardship due to the **COVID-19 pandemic**.
- ○ October 15<sup>th</sup>, 2024, I fell and nicked an artery in her spleen, causing blood loss complications.
- ○ February 2025, dental treatment resulted in the loss of a high volume of blood, which resulted in a diagnosis of anemia, requiring a transfusion, followed by (8) iron infusions.

5. These circumstances, individually and collectively, created an exceptional burden on Debtor and her ability to properly prosecute her previous Chapter 13 case.

### **III. CHANGED CIRCUMSTANCES AND GOOD FAITH**

6. Debtor has since experienced a **significant change in financial condition and life stability**, enabling her to proceed in **good faith**.
7. Her Social Security Retirement monthly income is just under \$1800.00.
8. Additionally, she works selling final expense insurance and has been realizing \$2,000.00 to \$9,000.00 monthly income.
9. She also drives for LYFT Carsharing and earns approximately \$1,000.00 weekly.
10. Based on her current income and budgeting, Debtor **believes she can make all required payments** and bring a new Chapter 13 case to a successful conclusion **with the assistance of counsel**.

### **IV. LEGAL GROUNDS FOR RELIEF**

9. The Court has authority under **11 U.S.C. § 105(a)** and **Federal Rule of Bankruptcy Procedure 9024** to vacate or modify orders in the interest of justice, particularly when new facts arise or upon showing of excusable neglect.

10. Courts have recognized that a bar to refiling may be lifted where a debtor demonstrates **changed circumstances, good faith, and imminent harm** if relief is denied.

#### **V. EMERGENCY NATURE OF THE MOTION**

11. Debtor is facing imminent and irreparable harm, including foreclosure, eviction, repossession, and garnishment.

**WHEREFORE, the Debtor, Bonnie Lynn MacDonald, respectfully prays that this Honorable Court:**

1. **GRANT** this Emergency Motion.
2. **VACATE** the one-year bar to refiling imposed by the Order of Dismissal entered on or about March 20, 2025;
3. **AUTHORIZE** the Debtor to immediately file a new Chapter 13 bankruptcy petition or, if applicable, reinstate the previously dismissed case;
4. **SCHEDULE** this matter for an expedited hearing, if necessary, due to the imminent and irreparable harm facing the Debtor;
5. And grant such other and further relief as this Court deems just and proper.

Dated: 7/29, 2025

Respectfully submitted,



**Bonnie Lynn MacDonald**  
531 S. Warminster Road  
Hatboro, PA 19040  
267-239-7484  
BonnieMacDonald@Proton.com

## CERTIFICATE OF SERVICE

### Re: In re Bonnie Lynn MacDonald, Case No. 25-10751-pmm

I, the undersigned, hereby certify that on \_\_\_\_\_, 2025 I caused a true and correct copy of the **Emergency Motion to Lift the One-Year Bar Imposed by Order of Dismissal** to be served to the **Court by hand delivery and to the following parties:**

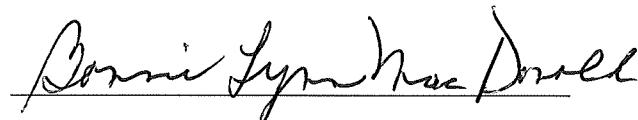
Name	Email Address	Party / Representation
Denise		On behalf of U.S. Bank
Elizabeth	bkgroup@kmllawgroup.com	Trust Company, National
Carlton		Association, as Trustee
Kenneth E. West	ecfemails@ph13trustee.comphilaecf@gmail.com	Chapter 13 Trustee
United States Trustee	USTPRegion03.PH.ECF@usdoj.gov	Office of the U.S. Trustee

### TOTAL SERVED: 3

I certify under penalty of perjury that the foregoing is true and correct.

Dated: 7/29, 2025

Respectfully submitted,



**Bonnie Lynn MacDonald**  
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Internal Revenue Service  
Philadelphia, PA 19255-0030

New Jersey Turnpike Authority  
Ramon de la Cruz, NJ Turnpike Authority  
1 Turnpike Plaza, P.O Box 5042  
Woodbridge, NJ 07095

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